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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,979	02/25/2004	David Yach	30889-2003	8976
63617 7590 03/09/2007 PERRY + PARTNERS (FOR RIM) 1300 YONGE STREET SUITE 500 TORONTO, ON M4T-1X3 CANADA			EXAMINER LIN, SHEW FEN	
			ART UNIT	PAPER NUMBER
			2166	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/784,979	YACH ET AL.	
	Examiner	Art Unit	
	Shew-Fen Lin	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/21/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- a. This action is taken to response to amendments and remarks filed on 12/21/2006.
- b. Claims 1-24 are pending and claims 21-24 has been added. Claims 1, and 34-39 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10-24 rejected under 35 U.S.C. 102(b) as being anticipated by Parker et al. (US Patent Application Publication 2002/0116541, hereinafter Parker).

As to claim 1, Parker discloses an electronic device (Figure 1) comprising: at least one output device for emitting a plurality of different signals (sound, LED light, vibration, Figure 1, paragraph [0023], lines 4-9); and, a microcomputer (Figures 2, sound, LED light, vibration, Figure 1, paragraph [0023], lines 4-9 3) for processing a plurality of first events (calendar events, paragraph [0020], lines 16-20) and a second event (incoming call or message, paragraph [0057], lines 1-6) such that when said second event occurs during said first event (receive call/message during scheduled event, for example, meeting, paragraph [0035], lines 13-19, paragraph [0036], lines 7-9) said microcomputer derives a notification mode based on at least one criterion associated said one of said plurality of first events (based on scheduled event and associated

Art Unit: 2166

notification mode, Figures 5-7, 9) and instructs said output device to emit one of said signals according to said notification mode (paragraph [0034], lines 13-15), said notification mode for said one of said plurality of first events being determined from a profile selected from a plurality of different profiles (paragraph [0009], [0035]).

As to claim 2, Parker discloses the electronic device of claim 1 wherein said device is selected from the group consisting of a wireless personal digital assistant, a personal computer, a cell telephone, and a smart telephone (small portable computing device, laptop, notebook, paragraph [0001], [0002],[0025]).

As to claim 3, Parker discloses the electronic device of claim 1 wherein said signals are selected from the group consisting of audible (Figure 5, item 108, paragraph [0020], lines 6-7), mechanical (paragraph [0023], lines 7-8) and visual signals (Figure 5, item 110, paragraph [0020], lines 6-7).

As to claim 4, Parker discloses the electronic device of claim 1 wherein said first event is an appointment associated with said notification mode (paragraph [0051], [0054]).

As to claim 5, Parker discloses the electronic device of claim 4 wherein said second event is a receipt of an electronic message (email, paragraph [0002], lines 14-18, paragraph [0036]) and said signal identifies said receipt (paragraph [0036]).

As to claim 6, Parker discloses the electronic device of claim 4 wherein said second event is a daily alarm and said signal identifies said alarm (critical reminder, paragraph [0036]).

As to claim 7, Parker discloses the electronic device of claim 4 wherein said electronic device includes functionality of a telephone (paragraph [0057]) and said second event is a receipt of a telephone call (paragraph [0036]).

As to claim 8, Parker discloses the electronic device of claim 1 wherein said notification mode is automatically selected based on a predefined string of characters included in said first event (select mode for a particular person, paragraph [0036], lines 7-9, automatic profile selected based on appointment type, paragraph [0054]).

As to claim 10, Parker discloses the method of claim 1 wherein said output devices include a flashing LED output device for emitting a visual signal (alert by light, Figure 1, item 110, Figure 7, item 706) and a speaker for emitting an audible signal (alert by sound, Figure 1, item 108).

As to claim 21, Parker discloses the device of claim 1 wherein each of said plurality of first events has associated therewith a profile selected from said plurality of different profiles (abstract, paragraph [0020], lines 1-7, paragraph [0052], lines 1-8).

As to **claim 11**, Parker discloses an electronic device (Figure 1) comprising: at least one output device for emitting a plurality of different signals (sound, LED light, vibration, Figure 1, paragraph [0023], lines 4-9); and, a microcomputer (sound, LED light, vibration, Figure 1, paragraph [0023], lines 4-9) operable to maintain a plurality of calendar appointment (receiving and storing user schedule, paragraph [0051]) and operable to receive an electronic message (email, paragraph [0002], lines 14-18, paragraph [0036]) and said signal identifies said receipt (paragraph [0036]) such that when said electronic message is received during said one of said calendar appointment (receive call/message during scheduled event, for example, meeting, paragraph [0035], lines 13-19, paragraph [0036], lines 7-9) said microcomputer derives a notification mode associated with said calendar appointment (based on scheduled event and associated notification mode, Figures 5-7, 9) and instructs said output device to emit one of said signals according to said notification mode (paragraph [0034], lines 13-15), said notification mode for said one of said plurality of calendar appointments being determined from a profile selected from a plurality of different profiles (paragraph [0009], [0035]).

As to **claim 22**, Parker discloses the device of claim 11 wherein each of said plurality of calendar appointments has associated therewith a profile selected from said plurality of different profiles (abstract, paragraph [0020], lines 1-7, paragraph [0052], lines 1-8).

Claims 12-19 and 23 are method claims corresponding to the device of claims 1-8 and 21 respectively and are thus rejected along the same rationale.

Claims 20 and 24 are computer-readable storage medium claims corresponding to the device of claims 1 and 21 respectively and are thus rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Parker as applied to claim 1 above, and further in view of Heinonen et al. (US Patent 6,035,295, hereinafter referred as Heinonen).

As to claim 9, Parker discloses the electronic device of claim 1 wherein said events occur in different applications stored on said device (call, message, reminder, paragraph [0057], lines 1-6) and wherein said notification mode (paragraph [0057], lines 6-15) for each said application. However, Parker does not explicitly disclose said notification mode is based on a plurality of profiles configurable for each said application.

Heinonen discloses a profile manager controls access to an operational mode database that contains the operation modes for the mobile device (Figure 1, items 8, 10, column 5, lines 1-

Art Unit: 2166

3). Profile manager communicate with application based on operation mode and parameter setting that are customized for the application (column 4, lines 41-50, column 5, lines 11-22). Therefore, user may configuration different applications with the user's own parameter values, for example, sound configuration in different operation mode (column 6, lines 58-67).

It would have been obvious to a person of ordinary skill in the art at the time of invention was made to modify Parker's disclosure to include notification mode basing on a plurality of profiles configurable for each said application as taught by Heinonen for the purpose of obtaining different operation parameters (like ring tone, ring volume, silence setting) for different operation mode (column 1, lines 51-64, Heinonen). The skilled artisan would have been motivated to improve the invention of Parker per the above such that notification mode can be further customized based on the profile associated with the application (column 6, lines 21-42, Heinonen).

Response to Amendment and Remarks

Applicant's arguments with respect to claims 1, 11, 12, and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2166

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

SFL
Shew-Fen Lin
Patent Examiner

Art Unit 2166
March 1, 2007


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER